

# News Release

# Senator Pete V. Domenici

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FOR IMMEDIATE RELEASE

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## DOMENICI SEEKS CRACK DOWN ON INDIAN ARTS & CRAFTS FRAUD

### Senator Says Fake Imports Harm New Mexico Indian Artisans

WASHINGTON — Senator Pete Domenici today threw his support behind a bill that would crack down on the sale of fake Indian arts and crafts – a growing practice that has severely crippled one of New Mexico's economic mainstays.

Domenici, a member of the Senate Indian Affairs Committee, today cosponsored the **Indian Arts and Crafts Enforcement Act of 2000**. The bill, authored by Senator Ben Nighthorse Campbell (R-Colo.) and passed by the committee today, would make it easier for Indian artisans to stop fraudulent representation of their work.

"As has been widely reported in the past three years, international fraud in Indian arts and crafts has two major victims – the Indian artisan and the consumer," Domenici said. "Tourists have been duped in Old Town Albuquerque and in Santa Fe. Even the experts can be fooled. Instead of natural wool and dyes, a rug might be a synthetic fiber. Nickle is substituted for silver. Plastic takes the place of turquoise."

"With this bill, we improve the law by making it easier for the Indian victim to stop the fraudulent representation of his or her work. This also sends a message to the people who misrepresent or manufacture these items. They will be more likely to be caught and fined because there will be greater access to the courts by Indians who are harmed by the fakes," he said.

Federal law requires all imported Indian-style jewelry and crafts to be permanently stamped with its country of origin to protect genuine Native American arts and crafts. Domenici was the primary force behind the provision in that 1988 law that required that Native American-style jewelry must be indelibly marked with the country of origin by cutting, die-sinking, engraving, stamping, or some other permanent method.

The goal of this new legislation is to improve chances of prosecution, and allow a longer reach beyond the retailer to the wholesaler and/or manufacturer. Many times, Domenici said, the retailer is also taken in by the fraud. Rather than allowing only tribes to sue, the bill allows Indian arts and crafts organizations and individual Indians to sue for violations of the law.

Current law has stiff penalties of \$250,000 in fines and five years in prison for the first offense, \$1 million and 15 years for the second infraction. Fines for corporations can

reach \$5 million. No federal agency has yet successfully prosecuted any offender for a criminal violation of the laws that protect authentic Indian arts and crafts.

Domenici said fraudulent items can cost as little as 10 percent of the original to make. This huge price difference is an extra profit for the seller and a fraudulent and illegal sale to the consumer.

The New Mexico Department of Indian Tourism estimates that profits to Indians in the state are down 40 percent.

It is now estimated that 40 percent and 50 percent of Indian arts and crafts items on sale today in America are actually copies of authentic items, many of which are made in Pakistan, Mexico, Taiwan, the Philippines, or China. Copies are not illegal, but they have to be represented as imitation or fake.